

## **WATERTOWN PLANNING BOARD**

DATE: April 09, 2025, PLACE: City Council Chamber TIME: 7:00 PM COMMENCED:7:00 PM

PURPOSE OF MEETING: Public Hearing

PRESENT: Janet Buck, Chair; Payson Whitney; Rachael Sack; Abigail Hammett; Jason Cohen; Sarah Scott

Sameena Pirani, Clerk to the Board; Gideon Schreiber, Planning Director; Matthew Neubacher, Planner.

### **ADMINISTRATIVE BUSINESS**

Payson Whitney motioned to approve Minutes of 3/12/2025 meeting.

Jason Cohen seconded the motion.

VOTE: 5-0 In Favor

### **CASES**

#### **75 Spring St**

Janet Buck read the legal notice. Ryan Wittig of Kinvarra Capital LLC described the project including building layout, parking, façade, and sustainability features. The petitioners were seeking a special permit with site plan review. They had received and integrated feedback from the community through the Community Meeting process and the proposal satisfied all aspects of the zoning code, requesting no additional relief.

The architect was available on Zoom to answer questions.

Also discussed were the design constraints, including the structural column which made the parking width wider than required.

Abigail Hammet suggested adding additional landscape space without compromising the maneuverability.

Staff and the Board discussed ways to soften the visual impact of the blank party wall, preserving it while improving the streetscape. Members questioned the applicant regarding the party walls on the project, in particular the intended public artwork and options for adding windows. They suggested adding a direct exit for the first-floor unit onto the street, e.g., by removing a portion of the southwestern wall, and to consider adding windows to the northwestern wall adjacent to the Right of Way.

Members also discussed the placement of the mini-split HVAC units and potential noise and visual concerns, suggesting moving them to the back of the building, if possible.

Members suggested adding drawings to show the relative height of the neighboring structures to better visualize the project and to confirm that the mini splits were above the neighboring roofline. They clarified the parking maneuverability and inclusion of a condition pertaining to waste management.

The developers would continue engaging with the public arts planner for the selection of artists and the final design of the blank wall(s).

In response to concerns about the ability for the Board to approve public art and quality of some past murals, staff noted that there is a Public Arts and Culture Planner who is best for staff-level coordination with private property owners.

Petitioner confirmed that e-bike charging would be included or can be easily added.

Abigail Hammet noted the absence of the LEED checklist. Staff confirmed that it was still required and would be conditioned to be submitted prior to the Building Permit.

Other discussion included the zoning driven 13' height, support for the proposed modern glass railing with minimal glass or steel top cap, and encouraging thoughtful public art.

Staff summarized the staff report, supporting the project, saying that it met the zoning and design criteria, fitted into the neighborhood, and met the city's sustainability goals.

Chair Janet Buck opened discussion to the public.

Daniel Mcadams, 81 Spring St, said that while he was not opposed to the residential development, he had major concerns about the current design's use of the shared driveway and sightlines, stating that it was unsafe for residential vehicles, bicycles and pedestrians. He worried about conflicts between the delivery trucks and residents, particularly at night or early morning. The developer had rejected reconsideration of his alternative parking plan—provide underground or front facing parking-- as it would reduce the number of residential units. He felt that residential use and changes to the easement without mutual consent might be an issue.

Lisa Feltner, District B City Councilor, shared several concerns. She stated that the community meeting was cut short due to a scheduling conflict, not allowing the public enough time to share their comments. The developer's community meeting report was not made available within the required timeframe. The report did not provide information on how the project integrated public input. Her other comments related to the 1<sup>st</sup> floor height and overall design of the project, disregard for local expertise and public art process,

presence of trees where there was no planting strip, and absence of a clear plan for trash, snow, and parking.

Vincent Piccirilli, District C Councilor and Council Vice President, had concerns about parking maneuverability and requested that the developer provide detailed maneuverability diagrams to ensure that the cars were not using the adjacent property. He suggested that each parking space should have a dedicated conduit to its corresponding unit's electric meter, so each condo owner could charge their own car independently. He also assumed that the mural was required and suggested that it could be more appropriate to require the owner to have a community meeting to receive community comments prior to installation.

The developer clarified that parking would be deeded to specific condo units, and the first floor would not receive parking. Also, EV-ready conduits would be installed and tied to the meter.

Staff acknowledged that this was one of the first projects submitted on the new portal and as a result some materials may have been deleted or were not properly uploaded. The missing community report will be uploaded the next day and shared with the Zoning Board.

Daniel Mcadams, reiterated that the project would result in conflicts on the shared driveway. It was pointed out that the developer also had the legal right to use the driveway. He supported adding a condition to submit turning radius plans/parking diagrams to demonstrate how vehicles would realistically enter and exit each parking space without conflict.

Staff clarified that the green area shown within the ROW was pervious pavement and functioned as a turnaround space for both sites.

Staff also clarified that even though there were commercial uses on the adjacent site now, the area had been a residential zone for over 100 years. The industrial/commercial activities there today may be considered pre-existing non-conforming under current zoning regulations.

The developer agreed to offer a vehicle exit signal, if necessary, to alert pedestrians and other drivers.

Abigail Hammett suggested ideas for addressing the visibility and safety concerns including adjustments to the building's corner geometry to improve visibility for both vehicles exiting the property and people on the sidewalk. She also supported Jason Cohen's suggestion to install a convex mirror on the site for better sight lines.

Staff explained that the final plans for the trees would involve working with DPW and the tree warden, to determine the placement if they were in the sidewalk in the public right of

way. Placing them partially on the property might allow more space for roots and visibility and that could be discussed with DPW.

Ellen Weinberg, tenant at the gallery at 81 Spring St, supported concerns about sightlines and safety when pulling out of the driveway onto Spring Street.

Councilor Felter questioned the usefulness or practicality of the bike rack at the front of the site. She also wondered if there was enough space for a tree to mature properly if the building was only set back five feet from the sidewalk. (Staff noted that payment in lieu or another placement could be considered)

David Aitcheson, 66 Fayette Street, noted that the existing sidewalk was already very narrow. Planting trees would make it worse. Also, the proposed flashing and beeping signal would be unpleasant and disruptive for the neighborhood.

Abigail Hammett suggested using low-growing landscaping in place of the permeable pavers in front of the building. This was supported by Jason Cohen.

Rachael Sack suggested considering 3 instead of 4 parking spaces. It would ease maneuverability and align with the city's goals of reduced parking spaces.

Staff noted that the reality about parking could be clearly communicated in the condo documents.

Following the resolution of comments from the Board, Payson Whitney clarified that the Zoning Board was the permit granting authority for this petition. The Planning Boards report to the Zoning Board would include the following.

The Planning Board supported the residential development at this site. Items to incorporate in the report to the ZBA included the following

- Favorably recommend this project to the Zoning Board of Appeals
- Consider changing the layout on the southwest side (71/73 side) to allow more light and space improvements, with direct access from the first-floor unit to the outdoors.
- Add a condition that if city garbage pickup is not available, private garbage collection must take place during restricted pickup hours.
- If windows can't be added to the northeast wall, add a condition that art be included on the wall with the same process as the art for the southwest wall.
- Provide the Community Meeting Report to the Zoning Board/public since it was not available to the Planning Board

- Submit the Zoning Board better Turning Movement Diagrams for Parking for the four parking spaces, demonstrating the parking area can be navigated safely for both entry and exit.
- Consider improving visibility for cars exiting to Spring St, such as a convex mirror at the corner or ‘clipping’ the corner of the first-floor unit to create an angled wall with greater visibility toward the southwest.
- Consider adding a visual indicator for vehicles exiting, e.g., striping or material change on the property side of the sidewalk on the shared driveway to improve safety for pedestrians on the sidewalk.
- If the space constraints prohibit street trees, consider alternative options like low plantings along the building frontage in place of some of the pervious pavers.

Motion was made by Payson Whitney, seconded by Jason Cohen. Approved 5-0

### **Zoning Amendment**

Janet Buck read the legal notice.

Also present was Katie Swan, Environmental Planner and Conservation Agent.

Staff recommended a zoning amendment to reflect the updated FEMA maps, which must be adopted by July 8 for federal requirements. The amendment was part of a mandatory public hearing. The recommendation would go to the City Council. The city would also need to ensure that all necessary administrative notices and reviews were completed before adoption.

The staff’s recommendation was to favorably forward the zoning amendment to the City Council, pending legal review.

Payson pointed out inconsistencies or potential issues in the definitions and language use in the draft. He suggested revisions to improve clarity and avoid legal ambiguity.

Overall, the discussion centered around making the amendments clearer, more organized and precise.

The Board discussed the proposed language, and changes that were identified were accepted by the Board. The Board requested that the amendments and final draft be shared with the City attorney, and staff noted it would also be reviewed by the DCR representative to ensure compliance with the model language.

Below are key elements of the proposed zoning amendments, incorporating the changes proposed by staff:

- Strike in its entirety §2.29, the definition titled “Floodway/100-year floodplain.”
- Intent and Purpose. Is updated to reflect suggested model language.
- Definitions. New definitions are added to the section that are specific to the §5.06 “Floodplain District” section and are consistent with FEMA.
- Community Floodplain Administrator. A new requirement is added by designating the Director of Planning and Zoning as the City’s Floodplain Administrator.
- Applicability. New boundaries of the Floodplain District are established by referencing the most recent updated FIRMs and FIS Report, effective July 8, 2025.
- Use Regulations. Add necessary FEMA language for development to make it clear that all development requires a review and necessary permits and that they must meet all applicable local, state, and federal regulations. This section outlines uses, Special Permit criteria, and restrictions, and continues to allow uses as identified in underlying Zoning Districts.
- Floodplain Variances. Add additional criteria to consider for variances specific to Floodplain District regulations, as required by FEMA.
- Base Flood Elevation and Floodway Data. Includes required notification if updated floodway data are acquired.
- Administration. Add a requirement for recording and notification of variances from the State Building Code, as well as adding disclaimer of liability and severability clauses.

Based on these facts and findings, Payson Whitney moved to recommend approval with the amended language, seconded by Jason Cohen. The Planning Board voted (5-0) to recommend that the City Council **approve** the requested Zoning Amendments to amend Section 5.06 to update the City’s floodplain regulations and maintain Watertown as a compliant NFIP Community.

Meeting Adjourned: 9:23 Minutes Approved-----